

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13483, of Harvey C. Zuckerman, pursuant to Paragraph 8207.11 of the Zoning Regulations, for a variance from the side yard requirements (Sub-section 3305.1 and Paragraph 7107.22) to construct a rear addition to an existing dwelling which is a non-conforming structure in an R-1-B District at the premises 3328 Northampton Street, N. W., (Square 2013, Lot 18).

HEARING DATE: May 13, 1981

DECISION DATE: May 13, 1981 (Bench Decision)

FINDINGS OF FACT:

1. The subject property is located in an R-1-B District on the south side of Northampton Street between Broad Branch Road and 33rd Street, N. W.
2. The subject lot is trapezoidal in shape, having a width of 52.97 feet at the front lot line and 7.91 feet at the rear. The east side lot line is perpendicular to Northampton Street. The west side lot line abuts a fifteen foot alley which is parallel to Broad Branch Road but at an angle to Northampton Street.
3. The subject lot is improved with a two story plus basement brick detached single family dwelling constructed in 1948.
4. The applicant propose to construct a one story addition at the rear of the house. The addition would expand the living space and kitchen of the house.
5. There is an existing glassed-covered porch at the rear of the house, as well as a small concrete landing providing access from the rear of the house to the rear yard.
6. The proposed addition will extend fifteen feet to the rear across the full width of the house. The concrete base of the existing porch will be retained.
7. The west wall of the addition will follow the west side lot line. The applicant will therefore provide no side yard adjacent to the addition and requires a variance from the side yard requirements of Sub-section 3305.1.
8. The existing dwelling has a side yard which narrows to approximately one foot at the rear of the house.
9. Both the existing house and the addition would have a side yard of 5.5 feet on the east side.

10. The existing house is too small to accommodate the needs of the applicant's family. The only possible means of expanding the dwelling is to the rear.

11. The owners of neighboring property, including the house immediately adjacent to the east and the two houses across the alley to the west, supported the application.

12. Advisory Neighborhood Commission 3-G, by letter dated April 7, 1981, supported the request for a variance.

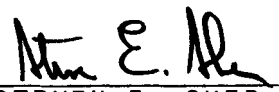
13. There was no opposition to the application.

CONCLUSIONS OF LAW AND OPINION:

Based on the findings of fact and the evidence of record, the Board concludes that the requested variance is an area variance, the granting of which requires the showing of an exceptional or extraordinary condition of the property which creates a practical difficulty for the owner. The Board concludes that the shape of the lot does constitute such an exceptional condition and that strict application of the Regulations would create a practical difficulty for the owner by preventing construction of a reasonably sized and located addition. The Board concludes that it has accorded to the ANC the "great weight" to which it is entitled. The Board concludes that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose and integrity of the zone plan as embodied in the Zoning Regulations and Maps. It is therefore ORDERED that the application is GRANTED.

VOTE: 5-0 (Charles R. Norris, William F. McIntosh, Connie Fortune, Walter B. Lewis and Douglas J. Patton to grant).

BY ORDER OF THE DISTRICT OF COLUMBIA BOARD OF ZONING ADJUSTMENT

ATTESTED BY: 
STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 27 JUL 1981

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS, AND INSPECTIONS.